

2827

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Appln. Of: ONO et al.  
Serial No.: 09/940,249  
Filed: August 27, 2001  
For: RESIN ENCAPSULATED BGA-TYPE SEMICONDUCTOR DEVICE  
Group: 2827  
Examiner: David E. Graybill

DOCKET: NEC 01341

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT B**

Dear Sir:

This Amendment is being filed in response to the Official Action mailed July 30, 2003.

Please amend the Application as follows:

**Remarks/Arguments begin on page 2 of this Amendment.**

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**REMARKS**

In response to the election requirement mailed July 30, 2003, Applicants provisionally elect the Species of Figure 7, and claims 1-3 and 5, which are believed readable thereon.

While it is noted that restriction and election requirements may be made at anytime during the prosecution, it seems in this case the current election requirement properly should have been raised in the earlier restriction requirement mailed March 24, 2003. The claims have not been changed, and the Examiner is the same Examiner as in the earlier Action. It seems that such piece meal examination is not in accordance with the MPEP and the goals of the USPTO promoting compact examination.

Notwithstanding the foregoing, Applicant provisionally elects the species of Figure 7 and claims 1-3 and 5 which are believed readable thereon, and it is respectfully requested that the non-elected species and claims be maintained in this application, without further Action for possible rejoinder and/or for filing of a divisional application.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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Attorney for Applicant  
Reg. No. 24,315

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 11, 2003, at Tucson, Arizona.

By 

NPS:sb

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